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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/928,601	08/13/2001	Michael C. Morrison	SVL920010047US1	7508

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EXAMINER
HAILU, TADESSE

ART UNIT	PAPER NUMBER
2173	

DATE MAILED: 12/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/928,601	MORRISON, MICHAEL C.
	Examiner	Art Unit	
	Tadesse Hailu	2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _27 October 2005_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☐ Claim(s) _____ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-39_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)	4)☐ Interview Summary (PTO-413)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____ .
3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)	5)☐ Notice of Informal Patent Application (PTO-152)
Paper No(s)/Mail Date _____.	6)☐ Other: _____.

DETAILED ACTION

1.   This Office Action is in response to the Amendment entered on October 27,

2005 for the above identified application.

2.   The pending claims, 1 through 39 are rejected as follows.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as
> set forth in section 102 of this title, if the differences between the subject matter sought to be
> patented and the prior art are such that the subject matter as a whole would have been obvious at
> the time the invention was made to a person having ordinary skill in the art to which said subject
> matter pertains Patentability shall not be negatived by the manner in which the invention was
> made.

3.   <u>Claims 1, 2, 4, 8-15, 17, 21-28, 30, and 34-39 are rejected under 35 U.S.C.

103(a) as being unpatentable over Beezer et al (US Pat No 6,597,314) in view of

Gudorf et al (US Pub No. 2002/0174230) and further in view of Werner (US Pub No

2002/0196942).</u>

Beezer is directed to a help system, wherein Beezer discloses a method,

system and computer program product for providing user access to an electronic

document, and providing access to setting controls in a system.

<u>With regard to claim 1:</u>

As illustrated in Fig. 3, and as described (column 4, lines 55-63), Beezer

discloses a computer-implemented 200 method for presenting a series of titles **310**

(help source file) of a document to a user.

As per the step of "maintaining a help", the method of Beezer includes presenting (maintaining) a set of help topics or series of titles to be selected by a user (column 4, lines 55-63);

As per the step of "receiving request", the method of Beezer includes receiving a signal corresponding to a user request for the help and settings control document (column 9, lines 16-17 of claim 2).

As per the step of "obtaining a help", the method of Beezer includes determining (obtaining) the target part of the help and settings control document based on a navigational history associated with the user (column 6, lines 46-56, column 9, lines 6-10 of claim 1);

As per the step of "displaying", the method of Beezer further includes displaying a configured (customized) display of the help and settings control document (help source file) based on stored navigational history component **704** and user profile component **708** (column 7, lines 53-column 8, lines 22).

Beezer, however, dose not teach, "the help history file comprises a cookie, generated by the local computer, wherein an identification for each previously opened file is stored in the cookie." Gudorf, on the other hand, teaches cookies 110 stored on the computer platform 98) (local computer) provide information as to previously viewed content, i.e., history file (paragraph 46).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to substitute the cookie of Gudorf for the pointer of Beezer

because the help document of Beezer will be able to identify the user and matches

user's activity when a user logs for the second time, i.e., the user does not have to

retype the previously entered information.

Furthermore, while Beezer in view of Gudorf discloses a cookie, e.g.

corresponding to the context a user navigates to (Gudorf, paragraph 46), but

Beezer in view of Gudorf fails to disclose that *the cookie is generated locally by a*

client computer.) Werner, however, discloses a cookie file that is created on a

client computer 502 (paragraph 26),

At the time of the invention, it would have been obvious to a person of

ordinary skill in the art to incorporate Werner's locally generated cookie with

Beezer in view of Gudorf. The motivation/suggestion for doing so will be to provide

a client-side control of generating cookies, and the cookie provides usage

information of the stored file.

Therefore, it would have been obvious to combine Beezer, Gudorf and Warner

to obtain the invention as specified in claim 1.

<u>With regard to claim 2</u>:

As per claim 2, Beezer, Gudorf and Warner disclose a computer program code

stored within the help and settings control document (help source file) is

configured to display the customized presentation of the help source file based on

navigational history component **704** and user profile component **708** (column 7,

lines 53-column 8, lines 22).

With regard to claim 4:

Beezer, Gudorf and Warner disclose a 'smart" navigational method to determine the accuracy of the predication of the target part of the help and settings control document. By monitoring the navigational history of the user the "smart" navigational system is configured to determine (distinguish) between the target part, section, or chapter within the help and settings control document selected or opened while user remains with the help document and a determination is made when user is not remain (outside of the help system) in the help and settings control document (Beezer, column 7, lines 10-52).

With regard to claims 8, 21 and 34:

Furthermore, Beezer, Gudorf and Warner disclose a cookie file that is created on a client computer 502 (Warner, paragraph 26).

With regard to claim 9:

Beezer, Gudorf and Warner disclose a frequency (specified time interval) of accessing or navigating of a target part, section, or chapter in the help and settings control document. Beezer also discloses a determining of how long the user remains in the help and settings control document (Beezer, column 7, lines 27-52).

With regard to claim 10:

Beezer, Gudorf and Warner disclose the 'smart" navigational features are provided for predicting a part, section or chapter (location) of the help and settings

document that is sought by a user based on navigational history and user profiles

(Beezer, abstract, column 7, lines 10-33).

With regard to claim 11:

Beezer, Gudorf and Warner disclose the smart navigational aspect

(presentation) provides for configured to select particular part, section or chapter

(an amount of material) of help and settings control document, wherein Beezer also

discloses a display component which retrieves the appropriate page of the help and

settings control document from memory and display it on display (Beezer, column

7, lines 53-column 8, lines 13).

With regard to claim 12:

Beezer, Gudorf and Warner disclose a navigational history component that

provides storage for information representing a user's navigation record. Beezer

also discloses a user's profile component 708 that contains information (amount of

information) representing user preferences, for example, user experience levels

with the particular reading application (information displayed) and with the help

and settings control document (Beezer, column 8, lines 13-22).

With regard to claim 13:

Beezer, Gudorf and Warner disclose a target (type of material) selection

component that may be configured (customized) to select a particular section,

section or chapter of help and settings control document (Beezer, column 8, lines 7-

13).

With regard to claims 14, 15, 17 and 22-26:

Beezer, Gudorf and Warner are also directed and disclose a computer-
implemented help system reciting all the limitations of these claims in system form
(e.g., see Beezer, claim 1). Thus, since these claims correspond generally to method
claims 1, 2, 4, 9-13, respectively, and recite similar features in system form, and
therefore are rejected under the same rationale.

With regard to claims 27, 28, 30 and 35-39:

Beezer, Gudorf and Warner are also directed and disclose a computer-
readable medium having stored thereon computer-executable instructions for
performing a method of providing a user access to help and settings control
document (e.g., see Beezer, claim 5). Thus, since these claims correspond generally
to method claims 1, 2, 4, 9-13, respectively, and recite similar features in storage
form, and therefore are rejected under the same rationale.

4.   Claims 3, 5-7, 16, 18-20, 29, and 31-33 are rejected under 35 U.S.C. 103(a) as
being unpatentable over Beezer et al (US Pat No 6,597,314) in view of Gudorf et al
(US Pub No. 2002/0174230) and Werner (US Pub No 2002/0196942) further in
view of Lim et al (US 6,434,619).

With regard to claims 3, 16 and 29:

Wile Beezer, Gudorf and Warner disclose computer-executable instructions,
data structures, program modules and other data executed by a personal computer
(column 2, lines 55-61), but Beezer, Gudorf and Warner do not seem to disclose

that the computer-executable instructions or computer program code is written in

a <u>scripting language</u>. Lim is directed to a help system, e.g., an online context

sensitive help. Lim discloses the above shortcoming of Beezer, Gudorf and Warner.

Lim discloses an example of a JavaScript code for implementing the help feature

(column 14, lines 24-32). Beezer, Gudorf, Warner and Lim are analogous art

because they are from the same field of endeavor that is the help systems. At the

time of the invention, it would have been obvious to a person of ordinary skill in

the art to substitute the Java Script code of Lim for the program modules of Beezer

in view of Gudorf and Werner because Lim teaches that such scripting language is

advantageous for local client side processing (e.g., button actions, updating time

stamp, setting cookies) (Lim, column 4, lines 25-30).

Therefore, it would have been obvious to combine Beezer, Gudorf and Warner

with Lim to obtain the invention as specified in claims 3, 16 and 29.

<u>With regard to claims 5, 6, 18, 19, 31 and 32</u>:

While Beezer, Gudorf and Warner disclose storing the help and settings

control document (column 8, lines 14-22), but Beezer, Gudorf and Warner do not

seem to disclose storing help and settings control document (the help document) in

<u>a tagged meta language </u>representation such as <u>HTML</u>. Lim, however, discloses

storing a help document in a tagged language representation such as HTML (see

Lim, column 4, lines 25-30, column 14, lines 24-32). At the time of the invention, it

would have been obvious to a person of ordinary skill in the art to incorporate the

tagged meta language representation such as HTML of Lim with the help and

settings control document of Beezer, Gudorf and Warner because HTML tag

encoding enables the help document to create html page linkage, which may

present more help resource information (column 14, lines 3-14).

Therefore, it would have been obvious to combine Beezer, Gudorf and Warner

with Lim to obtain the invention as specified in claims 5, 6, 18, 19, 31 and 32.

With regard to claims 7, 20 and 33:

While Beezer, Gudorf and Warner and further in view Lim discloses a tagged

meta language representation using hypertext markup language (HTML), but a

tagged meta language representation in XML is not shown. It would have been

obvious to use a tagged Meta language representation using XML in Beezer, Gudorf

and Warner and further in view of Lim since the examiner takes Official Notice of

the equivalence of XML and HTML for their use in tagging Meta language art. To

substitute XML in Beezer, Gudorf and Warner and further in view Lim for the

disclosed HTML would have been an obvious functional equivalent.

Therefore, it would have been obvious to combine Beezer, Gudorf and Warner

with Lim to obtain the invention as specified in claims 7, 20 and 33.

Response to Arguments

5.   Applicant's arguments filed October 27, 2005 have been fully considered but

they are not persuasive. The applicant argues "Neither Beezer, Gudorf , Lim, nor

Warner teach, disclose or suggest the processing of all of the method steps on a local

computer." In contrast to the argument, as given rejection above, Beezer, Gudorf and Warner disclose teach processing of all of the method steps on a local computer. especially Gudorf teaches storing cookies on local computer (Gudorf, Par. 46).

The applicant also argues "Neither Beezer, Gudorf , Lim, nor Warner teach, disclose or suggest a help history file that is stored in a cookie, wherein the cookie is generated by the local computer." Again, the examiner disagrees, the references of record teach a help history file that is stored in a cookie, as given rejection above, especially, Gudorf teaches cookies 110 stored on the computer platform 98) (local computer) that provide information for the previously viewed content, i.e., history file (paragraph 46). The references of record also teach teaches the cookie is generated by the local computer. as described in Warner, cookies are crated at the local computer (see Par. 56).

The applicant also argues "Neither Beezer, Gudorf , Lim, nor Warner teach, disclose or suggest the storage of an identification for each previously opened help in a cookie." In contrast to the argued limitations, the references of record, especially, Gudorf, teaches cookies 110 stored on the computer platform 98) (local computer) provide information as to previously viewed content, i.e., history file (paragraph 46).

CONCLUSION

6.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire

THREE MONTHS from the mailing date of this action. In the event a first reply is

filed within TWO MONTHS of the mailing date of this final action and the advisory

action is not mailed until after the end of the THREE-MONTH shortened statutory

period, then the shortened statutory period will expire on the date the advisory

action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be

calculated from the mailing date of the advisory action. In no event, however, will

the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

7.   Any inquiry concerning this communication or earlier communications from

the Examiner should be directed to Tadesse Hailu, whose telephone number is (571)

272-4051. The Examiner can normally be reached on M-F from 10:30 – 7:00 ET. If

attempts to reach the Examiner by telephone are unsuccessful, the Examiner's

supervisor, John Cabeca, can be reached at (571) 272-4048 Art Unit 2173.

8.   An inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the Group receptionist whose telephone number is

(703) 305-3900.

Examiner Tadesse Hailu
Art Unit 2173

12/15/05